

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

147-183PCT

U.S. PATENT OFFICE (If known, see 37 CFR 1.5)

09/254870  
NEW

INTERNATIONAL APPLICATION NO.

PCT/EP97/05198

INTERNATIONAL FILING DATE

22 September 1997

PRIORITY DATE CLAIMED

23 September 1996

## TITLE OF INVENTION

NUCLEIC ACID MOLECULES CODING FOR TUMOR SUPPRESSOR PROTEINS AND METHODS FOR THEIR ISOLATION

## APPLICANT(S) FOR DO/EO/US

SPENGLER, Dietmar; JOURNOT, Laurent

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39 (1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
- a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
- b. ☒ has been transmitted by the International Bureau.
- c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(3)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(2)).
- a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
- b. ☐ have been transmitted by the International Bureau.
- c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
- d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11. to 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98. /International Search Report
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
- ☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

- ✓1.) PCT Request (PCT/RO/101)
- ✓2.) Deposit of Microorganism and Translation (2 pages)
- ✓3.) International Preliminary Examination Report (PCT/IPEA/409)
- ✓4.) Seventeen (17) Sheets of Formal Drawings

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CALCULATIONS PTO USE ONLY

17. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5):**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO. .... \$970.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO. .... \$930.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO. .... \$760.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provisions of PCT Article 33(1)-(4). .... \$670.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4). .... \$96.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	55 - 20 =	35	X \$18.00	\$	630.00
Independent Claims	2 - 3 =	-----	X \$78.00	\$	-----
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			Yes	+ \$260.00	\$ 260.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	1950.00

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity statement  
must also be filed (Note 37 CFR 1.9, 1.27, 1.28).

**SUBTOTAL =** \$ 1950.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)).

**TOTAL NATIONAL FEE =** \$ 1950.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

**TOTAL FEES ENCLOSED =** \$ 1950.00

Amount to be:  
refunded \$  
charged \$

- a. ☒ A check in the amount of \$ 1950.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account. No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 02-2448.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Send all correspondence to:  
**Birch, Stewart, Kolasch & Birch, LLP**  
P.O. Box 747  
Falls Church, VA 22040-0747  
(703)205-8000

SIGNATURE

**SVENSSON, LEONARD R.**  
NAME

**#30.330**  
REGISTRATION NUMBER

/sas March 15, 1999